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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,421	02/24/2005	Douglas Arthur Sims	4046-029	5760
23440 7590 05/20/2008 GOTTLIEB RACKMAN & REISMAN PC 270 MADISON AVENUE 8TH FLOOR NEW YORK, NY 10016-0601				
EXAMINER				
SKURDAL, COREY NELSON				
ART UNIT		PAPER NUMBER		
3782				
MAIL DATE		DELIVERY MODE		
05/20/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/525,421

**Applicant(s)**

SIMS ET AL.

**Examiner**

COREY N. SKURDAL

**Art Unit**

3782

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)  
Paper No(s)/Mail Date 2/24/2005

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 2 is objected to because of the following informalities: the term "RESILIENTLY" should be written in lowercase letters. Appropriate correction is required.
2. Claim 3 is objected to because of the following informalities: "the clip engaging means" in line 2 should be "the clip engagement means"; and "the support engaging means" in line 3 should be "the support engagement means". Appropriate correction is required.
3. Claim 4 is objected to because of the following informalities: "the clip engaging means" in line 2 should be "the clip engagement means". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-7, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Hall (US 5,050,830).

Regarding claim 1, Hall discloses an accessory support system comprising: an accessory clip 3 and an accessory support 10, the accessory clip comprising a body adapted to be supported by support means 5 and having clip engagement means 4,

said clip engagement means being adapted to receive and removably engage the accessory support 10 to thereby support the accessory support, the accessory support being adapted to removably receive and support at least one accessory 12/15/18/20 and having corresponding support engagement means 8 adapted to co-operate with the clip engagement means.

Regarding claim 2, Hall discloses the accessory clip comprising a pair of opposing members (as seen in Figure 2), the members being resiliently biased to engage one another to thereby provide the support means (shown in Figure 1 supported by a golf bag).

Regarding claim 3, Hall discloses the clip engaging means comprises an attachment means 4 mounted on an external face of the accessory clip, and the support engaging means 8 comprises a complementary attachment means mounted on an external face of the accessory support.

Regarding claim 4, Hall discloses the clip engaging means and the attachment means comprising complementary pads of hook and loop fastener material adhesive 4/8 retained to the accessory clip and the accessory support, respectively.

Regarding claim 5, Hall discloses the accessory support comprising a tee support 14/17 adapted to support at least one golf tee 15.

Regarding claim 6, Hall discloses the tee supports 14/17 comprising a body with a plurality of apertures, each aperture adapted to receive and support a golf tee.

Regarding claim 7, Hall discloses the accessory support comprising a green marker support 19 adapted to support a green marker 18.

Regarding claims 9 and 10, the clip engagement means 4 of Hall is considered adapted/capable of the functional language as claimed, in particular for cooperating with complementary engagement means on a further object to thereby be adapted to support the further object, wherein the further object is a glove.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hall in view of Smith (US 4,475,676). Hall discloses the invention substantially as claimed but does not have a green marker support with a body and a pair of opposing clasping members. However, Smith teaches an accessory support system having an accessory clip formed by support means 14/15 and an accessory support 13 for holding golf tees 26 and green markers 19. The green marker support of Smith comprises a body member 14 and a pair of opposing clasping members on each side of slot 22, the clasping members being resiliently biased to engage the body member and adapted to receive the green markers 19 there between. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to have modified the accessory support 10 of Hall to include a pair of opposing clasping members as taught by Smith in order to provide an alternate means of securing a green marker to the accessory support.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to COREY N. SKURDAL whose telephone number is (571)272-9588. The examiner can normally be reached on M-Th 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. N. S./  
Examiner, Art Unit 3782

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/Nathan J. Newhouse/

Supervisory Patent Examiner, Art Unit 3782